

Kinsey, Knox, Lea, Magoffin, Moore of Davis, and Parsons—11.

Mr. Dickson then moved to reconsider the vote just taken and to lay that motion on the table. Whereupon Mr. Guinn moved a call of the Senate which was sustained, the Senate being full, the yeas and nays were called on the motion to lay on table. Motion to reconsider stood thus:

Yeas—Messrs. Beasley, Burney, Cooley, Dickson, Durrant, Ford, Harcourt, Haskell, Hord, Jordan, Jowers, Magoffin, Moore of Davis, Moore of Bastrop, Montague, Peck, Quayle, Selman, Throckmorton, Weatherford, Wootten, and White—22.

Nays—Messrs. Charlton, Davis, Guinn, Hartley, Kinsey, Knox, Lea, and Parsons—8.

Mr. Hartley by leave changed his vote on the final passage of the bill.

The following communications from His Excellency the Governor.<sup>1</sup> Here insert "AX," "BX," "CX." The first was referred to Committee on Finance, the second to Committee on Military Affairs, and the third to Committee on Military Affairs.

The Senate then adjourned until 8 o'clock A.M. tomorrow.

Thursday, May 19, 1864

8 o'clock A.M.

Senate met. Prayer by the Chaplain, roll called, quorum present. The Journal of yesterday was read and adopted.

Mr. Quayle presented petition of citizens of Tarrant County relative to subsistence of soldiers' families. Referred to Finance Committee.

The Finance Committee, Mr. Lea, Chairman, made the following report:

The Committee on Finance, to which was referred so much of the Governor's first message of this session as relates to the currency, has considered the subject, and now reports in part thereon by presenting herewith a bill to be entitled an act to regulate the reception and disposal of certain funds therein described.

Considering the reasons for promptly adopting some such measure is too manifest to need exposition, the Committee recommends the speedy passage of the bill.

Pryor Lea, Chairman

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<sup>1</sup>These reports cannot be located in the Archives.

The bill was read 1st time . Said committee also recommended the passage of the bill making appropriation to defray the contingent expenses of the Extra Session of the 10th Legislature, without amendment.

The following majority and minority reports were made from the Committee on Military Affairs:

F. S. Stockdale, President of the Senate:

A majority of the Committee on Military Affairs to whom was referred the resolution of the Senate on the subject of reimbursing brigadier generals appointed under the act of 1861 the actual expenses incurred in the discharge of their duties, report the accompanying bill and recommend its passage.

W. B. Knox,

One of the Committee

#### Minority Report:

The undersigned, a minority of the Committee on Military Affairs to whom was referred a resolution of the Senate instructing them to report by bill or otherwise for "reimbursing brigadier generals appointed under the act of 1861 the actual expenses incurred in the discharge of their duties," have examined the subject with due care and with conclusions adverse to the directions of the resolution.

The law of 1861 creating these officers did not provide for remuneration and with that knowledge we apprehend these officers accepted their commissions.

It would be an anomaly to put militia officers on pay whose functions are simply to *organize* without any contemplation of *command* in the field; and it might well be asked, why make remuneration to the generals and leave the colonels and the captains in the vocative? It is believed by the undersigned that any remunerations now would be violative of the intention of the framers of the law, and more an uncollected gratuity than a measure of justice rewarded by these officers themselves. For these reasons the minority do not think the bill should pass and offer this report as a substitute.

Wootten,

One of the Committee

The following report was also received from the Military Committee:

To F. S. Stockdale, President of the Senate:

The Committee on Military Affairs to whom was referred the special message of the Governor, the report of the Military Board, with their several exhibits and accompanying documents have examined the same with due care. We find that these papers are respectfully and full descriptive to the matters embraced in the Senate's resolutions, and as such are entirely satisfactory.

The Committee instruct me to report back the papers and to ask to be relieved from their further consideration.

Wootten,

One of the Committee

Mr. Throckmorton introduced the following bill: a bill to repeal the 1st section of an act to suspend the location and sale of the public domain in certain cases, approved December 14, 1862, and to provide for the sale of lands, land scrip, and location of the same. Read 1st time and referred to Committee on Public Lands.

A message from the House announced the passage of the following bills:

A bill to amend the 13th section of an act regulating estrays in certain counties.

A bill to suspend the levy and collection of a special tax by Comal County Court until one year after the close of the war.

A joint resolution in relation to the manufacture of salt.

A bill to incorporate the Dallas Manufacturing Company.

A bill to incorporate the Cherokee Furnace Company.

A bill to incorporate the Trinity Mills Manufacturing Company.

A bill to amend the 1st section of an act regulating prices applied to May, 1846.

A joint resolution requesting the return of the 1st, 4th, and 5th Texas Regiments.

A bill to incorporate the Falls of Brazos Manufacturing Company.

Mr. Harcourt introduced a bill to repeal an act prohibiting owners of slaves from placing them in charge of farms or stock ranches detached from the home of the

owner. Read 1st and 2nd times and referred to Committee on State Affairs.

Mr. Guinn introduced a bill to authorize administrators and guardians to find or exchange the Confederate money on hand. Read 1st and 2nd times and referred to Judiciary Committee.

Mr. Harcourt introduced a joint resolution in regard to the present war. Read 1st and 2nd times and referred to Committee on Confederate Relations.

Mr. Durant introduced a joint resolution relating to conduct of Army officers which was read 1st and 2nd times and referred to Committee on Military Affairs.

Mr. Dickson moved to suspend the rule so as to take up and consider a bill reported this morning by Finance Committee to provide for the disposal of certain funds therein named. Lost.

The resolution relative to rescinding the rule in relation to local or private business being read, Mr. Wootten moved the following amendment: Insert "so far as to allow legislation incorporating manufacturing companies." Laid on table. Mr. Dickson then offered the following amendment: "Provided that business of a general character shall in all cases then take precedence of bills of a local or private nature." Adopted. The resolution was then adopted.

Joint resolution in relation to the manufacture of salt was then taken up. Read 1st time. Rule suspended. Read 2nd time. Mr. Lea moved to strike out "The manufacture at Corpus Christi." Adopted. Mr. Hartley moved to refer to Committee on State Affairs. Lost. Mr. Davis moved to strike out "Lake Risteno." Mr. Hord moved an amendment to strike out the 2nd preamble. The amendments being withdrawn, Mr. Lea moved to strike out all of the preamble except that which relates to the action of the Conscript Bureau. Mr. Hartley offered a substitute for Mr. Lea's amendment as follows: "To detail such number of men as may be necessary for the manufacture of salt for the use of the people, no more than one man for a manufacturing making 20 bushels per day." Lost. The amendment was then adopted, and the resolution passed to 3rd reading. Rule suspended. Read 3rd time and passed.

A bill to define and punish offenses committed within the State by persons under the protection or authority of the public enemy. Read 3rd time and passed.

A bill to amend Articles 743 and 744 of the Penal Code. Read 2nd time. Suspended. Read 3rd time and passed.

A bill to provide for a revision of the laws. Read 2nd time and ordered to be engrossed. Rule suspended. Read 3rd time and passed.

House joint resolutions requesting the return of the 1st, 4th, and 5th Texas Regiments. Read 1st time. Rule suspended. Read 2nd time and referred to Committee on Military Affairs.

A bill for the subsistence of soldiers' families. Read 2nd time and referred to Committee on State Affairs.

Mr. Beasley introduced a bill to provide for redressing grievances of the citizens of the State of Texas suffered at the hand of officers and soldiers of the Confederate States. Read 1st and 2nd times and referred to Military Affairs.

The Committee on Military Affairs reported recommending the passage of joint resolution relating to conduct of Army officers.

A bill to amend an act to organize County Courts appointed February 16, 1852. Read 2nd time and passed to 3rd reading. Rule suspended and read 3rd time and passed.

A bill amendatory of an act to reorganize the 16th Judicial District and to provide for the time of holding courts therein. Read 2nd time and Mr. Selman moved to amend by inserting "11th Monday," instead of "8th Monday" for the terms of the Court in Van Zandt County. Laid on table. Bill passed to 3rd reading. Rule suspended and read 3rd time and passed.

The Senate then adjourned until 8 o'clock A.M. tomorrow.

Friday, May 20, 1864

8 o'clock A.M.

Senate met. Prayer by the Chaplain, roll called, quorum present. The Journal of yesterday was read and adopted.

Mr. Harcourt presented the memorial of citizens of Fayette County in relation to sheep raising. Referred to Committee on State Affairs.

Mr. Harcourt, Chairman of the Judiciary Committee reported a substitute for a bill to regulate the election of Chief Justice and Associate Justice of Supreme Court. Also recommended the passage of the bill to define the boun-